

VILLAGE OF GILBERTS

AN ORDINANCE AMENDING THE VLLAGE'S UNIFIED DEVELOPMENT ORDINANCE REGARDING HORSES AND FARM ANIMALS IN THE A-1 DISTRICT

WHEREAS, on January 7, 2014, the Village Board of the Village of Gilberts adopted the Gilberts Unified Development Ordinance ("**UDO**"), which sets forth the zoning and development standards and procedures for the Village; and

WHEREAS, the Village Board has determined that it is in the best interests of the Village to amend certain provisions of the UDO pertaining to the keeping of horses and other farm animals in the A-1 Agriculture District; and

WHEREAS, the Plan Commission conducted a public hearing, pursuant to notice published in accordance with Illinois state law, on proposed amendments to the UDO at its meeting held on August 8, 2018, at which time the Plan Commission recommended approval of certain changes to the UDO; and

WHEREAS, the Village Board of Trustees has considered the Plan Commission's recommendations, and has determined that it is in the best interests of the Village to amend the UDO, as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS, KANE COUNTY, ILLINOIS, as follows:

**SECTION 1. RECITALS** The recitals set forth above are incorporated into Section 1 as set forth herein.

**SECTION 2. AMENDMENT TO SECTION 10-2-2 OF THE UDO.** Section 10-2-2 of the UDO, entitled "Permitted Uses," is hereby amended as follows (deletions in ~~strikethrough~~, additions in **bold** and underline):

**"10-2-2 PERMITTED USES**

The following uses and no other are permitted as of right in ~~all residential districts~~ **the A-1 Agriculture District:**

- \* \* \*
2. ~~Breeding, keeping, and grazing of livestock, poultry, and other farm animals.~~ **The keeping of horses, but only on a lot consisting of 5 or more acres.**

\* \* \*

  4. Private stables, **but only on a lot consisting of 5 or more acres.**

**SECTION 3. AMENDMENT TO SECTION 10-2-3 OF THE UDO.** Section 10-2-3 of the UDO, entitled "Special Uses," is hereby amended to add a new paragraph 7, as follows (deletions in ~~strikethrough~~, additions in **bold** and underline):

**"10-2-3 SPECIAL USES**

The following uses may be permitted in ~~all residential districts~~ **the A-1 Agriculture District**, subject to the issuance of a special use permit as provided in section 10-11-11 of this code and subject to the additional standards set forth in this section.

\* \* \*

**7. Breeding, keeping, and grazing of livestock, poultry, and other farm animals, but only on a lot consisting of 5 or more acres.**

**SECTION 4. SEVERABILITY.** In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this Ordinance is found to be invalid in any one or more of its several applications, all valid applications shall remain in effect.

**SECTION 5. REPEAL AND SAVINGS CLAUSE.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however that nothing in this Ordinance shall affect any rights, actions, or causes of action which shall have accrued to the Village of Gilberts prior to the effective date of this Ordinance.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall only be effective upon the passage, approval, and publication in the manner required by law.

**PASSED BY THE BOARD OF TRUSTEES** this 21 day of Aug, 2018 by roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Dan Corbett	<u>✓</u>	_____	_____	_____
Trustee Elissa Kojzarek	<u>✓</u>	_____	_____	_____
Trustee Nancy Farrell	<u>✓</u>	_____	_____	_____
Trustee Jeanne Allen	<u>✓</u>	_____	_____	_____
Trustee Lou Hacker	<u>✓</u>	_____	_____	_____
Trustee Guy Zambetti	<u>✓</u>	_____	_____	_____
President Rick Zirk	_____	_____	_____	_____

APPROVED THIS 21 DAY OF Aug, 2018



Rick Zirk, Village President



ATTEST:

Courtney Nicholas, Village Clerk